REMARKS

Entry of this Amendment is proper under 37 C.F.R. § 1.116 since the no new claims or issues are raised and the only claims amendments move subject matter of dependent claims into the independent claims.

Claims 1-20 are all the claims presently pending in this application. Claims 1-3, 9-10 and 15 have been amended to more particularly define the claimed invention. Claims 4-6 and 11-12 have been canceled.

It is noted that the amendments are made only to more particularly define the invention and **not** for distinguishing the invention over the prior art, for narrowing the scope of the claims, or for any reason related to a statutory requirement for patentability. It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Applicant notes that the Office Action Summary on the PTOL-326 indicates that claims 6 and 12 are rejected. However, the Examiner fails to provide any basis for his rejection of claim 6 in the Office Action. Additionally, though claim 12 was indicated as being rejected over Okano in view of Bach et al. on page 10, the subject matter of claim 12 was never was addressed in the Office Action by the Examiner.

Therefore, Applicant presumes that the Office Action Summary was incorrect and that these claims are objected to as containing allowable subject matter dependent upon a rejected base claim. Applicant submits that should the Examiner maintain that these claims are other than allowable, that the Examiner provide Applicant with a basis for the rejection of these claims in another Non-Final Office Action so that Applicant can have an opportunity to

respond to the Examiner's arguments.

Applicant has therefore included what Applicant believes to be the allowable subject matter of claims 4-6 and claims 11-12 into independent claims 1 and 9, respectively, thereby to pass all the claims to allowance. However, Applicant submits that all of the remaining claims are allowable.

Claims 1-2, 7-9 and 13-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Okano, UK Pat. No. 2,343,335, further in view of Usami, EP No. 1,199,900.

Claim 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Okano, UK Pat. No. 2,343,335 in view of Usami, EP No. 1,199,900, further in view of Ono et al., U.S. Pat. App. Pub. No. 2004/0192412.

Claims 4-5 and 10-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Okano, UK Pat. No. 2,343,335 in view of Usami, EP No. 1,199,900, further in view of Bach et al., U.S. Pat. App. Pub. No. 2001/0023182.

These rejections are respectfully traversed in view of the following discussion.

I. APPLICANT'S CLAIMED INVENTION

The claimed invention, as defined, for example, by independent claim 1, (and similarly independent claim 9) is directed to a mobile terminal including, a battery, a power supply block which supplies power of the battery, a radio communication block which communicates with a base station when the power is supplied from the battery through the power supply block, a first switch which is interposed between the power supply block and the radio communication block, a key operation section to which the power is always

supplied from the battery through the power supply block, and a control unit which controls the first switch to stop the power supply from the battery to the radio communication block to stop communication between the mobile terminal and the base station in response to a manual operation of the key operation section, a base band block which is connected with the first switch, an application function block to which the power is always supplied from the battery through the power supply block and is possible to accomplish application functions, and a second switch which is interposed between the application function block and the base band block, wherein the power supply to the base band block is stopped when the control unit controls the first switch to stop the power supply from the battery to the radio communication block in response to the manual operation of the key operation section, and wherein the control unit is contained in the application function block and controls the second switch to disconnect the base band block from the application function block.

The claimed invention, as defined, for example, by independent claim 15, is directed to mobile terminal including, a battery, a power supply block which supplies power of the battery, a radio communication block which communicates with a base station when the power is supplied from the battery through the power supply block, a first switch interposed between the power supply block and the radio communication block, a key operation section to which the power is always supplied from the battery through the power supply block, a base band block to which the power is always supplied from the battery through the power supply block which accomplishes application functions other than a communication function using the radio communication block, a second switch interposed between the base band block and the radio communication block, a control unit which is responsive to a manual operation from the key operation section that controls the first switch to stop the power

supply from the battery to the radio communication block, and controls the second switch to stop communication between the base band block and the radio communication block.

II. THE PRIOR ART REJECTIONS

A. The 35 U.S.C. § 103(a) Rejection over Okano, UK Pat. No. 2,343,335 further in view of Usami, EP No. 1,199,900

The Examiner alleges that Okano, UK Pat. No. 2,343,335, (Okano), further in view of Usami, EP No. 1,199,900, (Usami), makes obvious the invention of claims 1-2, 7-9 and 13-20.

The Examiner alleges that one of ordinary skill in the art would have been motivated to modify Okano with the teaching from Usami to form the invention of claims 1-2, 7-9 and 13-20. Applicant submits, however that these references would not have been combined and even if combined, the combination would not teach or suggest each element of the claimed invention.

With respect to Applicant's invention of independent claim 1, Applicant submits, however, that neither Okano, nor Usami, nor any alleged combination thereof, teaches or suggests, "*wherein said control unit is contained in said application function block and controls said second switch to disconnect said base band block from said application function block*."

Neither Okano nor Usami teach or suggest, nor does the Examiner address in the Office Action, "*a second switch that disconnects a based band block from an application function block*," per Applicant's claimed invention.

With respect to Applicant's invention of independent claim 9, Applicant submits,

however, that neither Okano, nor Usami, nor any alleged combination thereof, teaches or suggests, "*disconnecting said application function block from said base band block in response to said manual operation of the key of said key operation section*."

Neither Okano nor Usami teach or suggest, nor the Examiner address in the Office Action, "*disconnecting an application functional block from a base band block in response to manual operation of a key in a key operating section*," per Applicant's claimed invention.

With respect to Applicant's invention of independent claim 15, Applicant submits, however, that neither Okano, nor Usami, nor any alleged combination thereof, teaches or suggests, "*a control unit which is responsive to a manual operation from said key operation section that controls said first switch to stop the power supply from said battery to said radio communication block, and controls said second switch to stop communication between said base band block and said radio communication block*."

The Examiner states that Okano fails to disclose, "a base band block to which said power is always supplied from said battery through said power supply block which accomplishes application functions other than a communication function using said radio communication block; a second switch interposed between said base band block and said radio communication block; a control unit which is responsive to a manual operation from said key operation section that controls said first switch to stop the power supply from said battery to said radio communication block, and controls said second switch to stop communication between said base band block from said radio communication block."

The Examiner alleges that Usami's controller 14 that turns off the power supply of the transmitting/receiving section 16 is equivalent to Applicant's claimed first switch, second switch and control unit that stops "communication between a mobile terminal and a base

station." Examiner further alleges that, "since the transmitting/receiving section is OFF, no communication between "base band block" and "radio communications block" can take place.

However, Applicant contends that Usami fails to teach or suggest a controller 14 controlling to stop communication between the base band block and said radio communication block. Usami only discloses that when the power supply of the transmitting/receiving section 16 is made to be off, the communication function of the transmitting/receiving section 16 cannot be operated.

> [0035] As mentioned above, only the power supply of the transmitting/receiving section 16 is made to be off by the operation mentioned above, that is, the operation using the transmitting/receiving section 16 being the communication function cannot be worked. However, since only the power supply of the transmitting/receiving section 16 is made to be off and the main power supply of the mobile communication terminal is on, the user can operate processes, in which the communication is not executed, such as making e-mails, confirming the contents of the transmitted and received e-mails, displaying the obtained Web sites images, playing games not using the communication function. (Emphasis added.)

Usami fails to teach or suggest the controller 14 to stopping communication between the operating section 11 and said transmitting/receiving section 16. Usami merely teaches the transmitting/receiving section 16 being powered off such that the function of transmitting/receiving at the transmitting/receiving section 16 is in operable. However, there is no teaching or suggestion in Usami that communication between any other components in Usami is thereby prevented from being communicated to the transmitting/receiving section 16.

Alternatively stated, though transmitting/receiving section 16 may be powered off via an input from the inputting/outputting section 15 such that the transmitting/receiving function of the transmitting/receiving section 16 is in operable, Usami fails to teach stopping

communication between, for example, the operating section 11, notifying section 13, inputting/outputting section 15, etc., (that may be equivalent to Applicant's claimed *base band block*) and the transmitting/receiving section 16.

This feature of Applicant's invention is important for improving the operation performance of Applicant's claimed base band of block by eliminating communication to the radio communication block. (Application at page 15, lines 3- 12.)

Therefore, Usami fails to overcome the deficiencies of Okano.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection since the alleged prior art references to Okano and Usami (either alone or in combination) fail to teach or suggest each element and feature of Applicant's claimed invention.

B. The 35 U.S.C. § 103(a) Rejection over Okano, UK Pat. No. 2,343,335 in view of Usami, EP No. 1,199,900 further in view of Ono et al., U.S. Pat. App. Pub. No. 2004/0192412

The Examiner alleges that Okano, UK Pat. No. 2,343,335 in view of Usami, EP No. 1,199,900, (Okano and Usami), further in view of Ono et al., U.S. Pat. App. Pub. No. 2004/0192412, (Ono), makes obvious the invention of claim 3.

The Examiner alleges that one of ordinary skill in the art would have been motivated to modify Okano and Usami with the teaching from Ono to form the invention of claim 3. Applicant submits, however that these references would not have been combined and even if combined, the combination would not teach or suggest each element of the claimed invention.

That is, Ono fails to make up for the deficiencies of Okano and Usami as discussed above.

The Examiner asserts Ono discloses switching means which is interposed between a processor for telephone functions and processor for application functions, wherein pronunciation control is contained in the processor for application functions and control switching means disconnects the processor for application functions from the processor for telephone functions.

However, even assuming *arguendo* that the Examiner's position has some merit, Ono fails to teach or suggest, "*wherein said control unit is contained in said application function block and controls said second switch to disconnect said base band block from said application function block*," of Applicant's independent claim 1. Therefore, Ono fails to overcome the deficiencies of Okano and Usami.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection since the alleged prior art references to Okano and Usami and Ono (either alone or in combination) fail to teach or suggest each element and feature of Applicant's claimed invention.

C. The 35 U.S.C. § 103(a) Rejection over Okano, UK Pat. No. 2,343,335 in view of Usami, EP No. 1,199,900 further in view of Bach et al., U.S. Pat. App. Pub. No. 2001/0023182

The Examiner alleges that Okano, UK Pat. No. 2,343,335 in view of Usami, EP No. 1,199,900, (Okano and Usami), further in view of Bach et al., U.S. Pat. App. Pub. No. 2001/0023182, (Bach), makes obvious the invention of claims 4-5 and 10-11.

The Examiner alleges that one of ordinary skill in the art would have been motivated to modify Okano and Usami with the teaching from Bach to form the invention of claims 4-5 and 10-11. Applicant submits, however that these references would not have been combined

and even if combined, the combination would not teach or suggest each element of the claimed invention.

That is, Bach fails to make up for the deficiencies of Okano and Usami as discussed above.

The Examiner asserts Bach discloses a cellular phone with a power button where, wherein the power button is an off position the cellular phone is in operable and cannot receive or transmit calls, and when the power button is an on position, the cellular phone can receive and transmit communication.

However, even assuming *arguendo* that the Examiner's position has some merit, Bach fails to teach or suggest, "*wherein said control unit is contained in said application function block and controls said second switch to disconnect said base band block from said application function block*," with respect to Applicant's independent claim 1, and "*disconnecting said application function block from said base band block in response to said manual operation of the key of said key operation section*," with respect to Applicant's independent claim 9. Therefore, Bach fails to overcome the deficiencies of Okano and Usami.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection since the alleged prior art references to Okano and Usami and Bach (either alone or in combination) fail to teach or suggest each element and feature of Applicant's claimed invention.

III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-20, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: August 9, 2007

Donald J. Lecher, Esq.
Reg. No. 41,933
Sean M. McGinn, Esq.
Reg. No. 34,386

McGinn Intellectual Property Law Group, PLLC
8321 Old Courthouse Rd., Suite 200
Vienna, Virginia 22182
(703) 761-4100
Customer No. 21254

CERTIFICATE OF TRANSMISSION

I certify that I transmitted via facsimile to (571) 273-8300 the enclosed Amendment under 37 C.F.R. § 1.116 to Examiner Alam, Art Unit 2618, on August 9, 2007.

Donald J. Lecher, Esq.
Registration No. 41,933
Sean M. McGinn, Esq.
Registration No. 34,386